

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Kil-soo JUNG et al.

CONFIRMATION NO.: 1650

APPLICATION NO.: 10/647,445

GROUP ART UNIT: 2621

FILING DATE: August 26, 2003

EXAMINER: Tat Chi CHIO

TITLE: APPARATUS FOR REPRODUCING AV DATA IN INTERACTIVE MODE,
METHOD OF HANDLING USER INPUT, AND INFORMATION STORAGE MEDIUM
THEREFOR

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Advisory Action dated July 2, 2010, reconsideration and allowance of Applicants' claims are respectfully requested in view of Applicants' amendments and remarks provided below. Applicants respectfully request review of the rejections of the Final Office Action dated April 15, 2010, prior to appeal. Applicants make this request because the Final Office Action has failed to identify the omission or presence of essential elements required to establish a *prima facie* rejection.

Failure to identify essential elements in rejection of claims 1, 3-9, 11, and 12-21

Claims 1, 3-9, 11, and 12-21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lamkin et al. (US 7,178,106) in view of Otsuka et al. (US 2003/0044171). This rejection is respectfully traversed. Neither Lamkin et al. nor Otsuka et al., even when considered in combination, teaches or suggests all of the features of independent claims 1, 12-13, and 17.

Claim 1 recites an information storage medium comprising, *inter alia*, a “markup document compris[ing] first event information that … causes the ENAV engine to inform … an AV playback engine … of an occurrence of a key input event corresponding to a user action, and second event information that … causes the ENAV engine to prohibit informing the AV playback engine … of the occurrence of the key input event, …, and wherein the first event information and the second event information are read by the ENAV engine when the AV data is reproduced in the interactive mode comprising the full mode and the embedded mode” (emphasis added). Claims 12-13, and 17 recite similar features. Applicants respectfully submit that Lamkin et al. and Otsuka et al., even when combined, fail to teach or suggest at least these features.

The Office Action interprets, in the Response to Arguments section at pages 2-3, that Lamkin et al.’s non-full screen mode is the second event. However, the claims clearly state that the first and second event information are read by the ENAV engine when the AV data is reproduced in the interactive mode comprising the full mode. The interpretation in the Office Action makes no sense, since the both the first and second event information must be readable in the full mode, and therefore the Office Action’s interpretation would require the non-full screen mode to occur during the full screen mode, which is self-contradictory.

Furthermore, Lamkin et al. teaches that the button enabling feature will always be present when the video is playing in a window within a web page. “The playback buttons … control the video whenever there is video being displayed (either in full-screen mode or in a window).” Col. 19, ln. 41-44 (emphasis added). Therefore, even if, *arguendo*, Lamkin et al.’s non-full screen mode were to read on the claimed “second event” (which it does not), Lamkin et al. still fails to teach that the second event information causes the ENAV engine to prohibit

informing the AV playback engine of the occurrence of the key input event, as recited in claims 1, 12-13, and 17. Applicants respectfully submit that Lamkin et al. does not disclose, teach, or suggest at least “second event information that ... causes the ENAV engine to prohibit informing the AV playback engine ... of the occurrence of the key input event,” as recited in claims 1, 12-13, and 17. Nor is Otsuka et al. cited for these features. Thus, Otsuka et al. does not remedy the deficiencies of Lamkin et al.

Since Lamkin et al. and Otsuka et al. do not teach or suggest all of the features of claims 1, 12-13, and 17, claims 1, 12-13, and 17 are not obvious over the cited combination. Claims 3-9, 11, 14-16, and 18-21 depend, respectively, from independent claims 1, 13, and 17. Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of claims 1, 3-9, 11, and 12-21 be withdrawn and the claims allowed.

It is respectfully submitted that this application is in condition for allowance, and a notice to this effect is earnestly solicited. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: July 15, 2010

By: /Rachael Lea Leventhal/
Rachael Lea Leventhal
Reg. No. 54,266
NSIP Law
1156 15th Street NW, Suite 603
Washington, DC 20005
Tel: (202) 429-0020

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